

REMARKS

The present application has been reviewed in light of the Office Action dated February 6, 2008. Claims 1-18 are presented for examination, of which Claim 1 is in independent form. Claims 1-14 have been amended to define aspects of Applicant's invention more clearly. New Claims 15-18 have been added to provide Applicant with a more complete scope of protection. Favorable reconsideration is requested.

The Office Action states that Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0111370 (*Saylors et al.*). Applicant respectfully traverses the rejections and submits that independent Claim 1, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a method of encouraging user savings. The method includes: (1) receiving user financial information, where the financial information includes user income information related to user income, user income source information related to a user income source, user debt information related to a user debt to a payee, and user goal information related to a user goal; (2) establishing a payment hierarchy using the received financial information, where the payment hierarchy includes at least a portion of the user income allocated to a user savings account and a portion of the user income allocated to the user; (3) acquiring user income; and (4) transferring at least a portion of the user income, based at least in part upon the payment hierarchy, to at least one of: the user savings account and the payee.

Notable features of Claim 1 include “receiving user financial information, wherein the financial information includes user income information related to user income, user

income source information related to a user income source, user debt information related to a user debt to a payee, and user goal information related to a user goal” and “establishing a payment hierarchy using the received financial information, wherein the payment hierarchy includes at least a portion of the user income allocated to a user savings account and a portion of the user income allocated to the user debt.” By virtue of these features, a user may be encouraged to transfer a certain portion of her income to her savings account so that she may achieve her goal of saving a particular sum of money by a specified date, even if she is not able to pay an outstanding debt in full, for example.¹

Saylors et al. relates to a single source money management system in which customers may automate their spending. *Saylors et al.* teaches that a customer may schedule payments to a plurality of accounts, including various debt accounts and a savings account. (See FIG. 3, and paragraphs 69-70.) However, *Saylors et al.* fails to teach or suggest establishing a payment hierarchy using received financial information that includes, *inter alia*, user goal information related to a user goal.

Particularly, nothing has been found in *Saylors et al.* that is believed to teach or suggest “receiving user financial information, wherein the financial information includes user income information related to user income, user income source information related to a user income source, user debt information related to a user debt to a payee, and user goal information related to a user goal” and “establishing a payment hierarchy using the received financial information, wherein the payment hierarchy includes at least a portion of the user income allocated to a user savings account and a portion of the user income allocated to the user debt,” as claimed in Claim 1.

¹ The example(s) presented herein are intended for illustrative purposes only. Any details presented in the illustrative example(s) should not be construed to be limitations on the claims.

Accordingly, Applicant submits that Claim 1 is not anticipated by *Saylors et al.*, and respectfully requests withdrawal of the rejection of Claim 1 under 35 U.S.C. § 102(e).

The other rejected claims in this application depend from Claim 1 and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

Applicant respectfully requests favorable consideration and an early passage to issue of the present continued application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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